

# Ex-C.I.A. Witness for CBS Supports Adams Testimony

By M. A. FARBER

Richard D. Kovar, a former Vietnam specialist for the Central Intelligence Agency, testified yesterday that the only trouble with Samuel A. Adams was that he did not "salute and shut up" in 1967 when he concluded that the military had lied about the size of the enemy in South Vietnam.

Mr. Kovar — appearing in Federal District Court in Manhattan as the seventh witness for CBS in the trial of Gen. William C. Westmoreland's \$120 million libel suit — said that Mr. Adams, a defendant in the case, had been a "rigorous, diligent, inspired analyst" for the C.I.A. in the mid-1960's. And Mr. Adams had been right about the need to include the Vietcong's self-defense forces in a special intelligence estimate for President Johnson in November 1967, Mr. Kovar said.

But when Mr. Adams "pushed his outrage" at both the military's refusal to include those forces and the C.I.A.'s "acquiescence," Mr. Kovar said, it "frightened a lot of people and made people mad."

"You can turn off a true blue civil servant with that kind of behavior — with not closing ranks and going beyond the level that a subordinate is supposed to go," Mr. Kovar told the jury. "To this day, some of my associates in the agency don't regard Sam as a true blue civil servant."

## Credibility Issue

Mr. Kovar, who retired from the C.I.A. in 1980 after 29 years of service, continues to work there under contract. Until a few weeks ago, he helped prepare President Reagan's daily intelligence brief.

Mr. Adams, who resigned from the C.I.A. in 1973, was a paid consultant for the 1982 CBS Reports documentary that is the subject of General Westmoreland's suit. Because Mr. Adams's thesis of deception by the military was critical to the broadcast, his credibility and knowledge of the issues covered by the program have been a major issue at the trial.

The documentary, "The Uncounted Enemy: A Vietnam Deception," accused General Westmoreland's command in Saigon of engaging in a "conspiracy" to show progress in the war by minimizing the size and nature of North Vietnamese and Vietcong forces in the year before the Tet offensive of January 1968.

According to the broadcast, General Westmoreland imposed an "arbitrary ceiling" of 300,000 on reports of Communist strength, mainly by removing the self-defense units from the official listing of enemy forces known as the order of battle and by refusing to allow a current figure for them in the estimate for President Johnson.

The program also said the command had "systematically blocked" reports from its officers of an infiltration rate of 20,000 to 25,000 a month in the fall of 1967 — quadruple the rate made known by the military.

General Westmoreland, who commanded American forces in Vietnam from January 1964 to June 1968, has denied the charges. He testified that he deleted the self-defense forces from the order of battle because he decided they were inconsequential militarily and could not be estimated accurately and because their inclusion at a high figure would only mislead Washington and the press. Those forces were newly estimated in 1967 at 120,000, an increase of 50,000.

Before Mr. Kovar took the stand yesterday, David M. Dorsen, a lawyer for General Westmoreland, cross-examined Ronald L. Smith, a former Vietnamese affairs analyst for the C.I.A.

Mr. Smith, who was head of the South Vietnam branch of the agency's Office of Economic Research, had testified on Tuesday that General Westmoreland used his "political power" in 1967 to impose a "grossly misleading" estimate of total enemy strength on the C.I.A. While Mr. Adams, Mr. Smith and some

others in the C.I.A. had favored an estimate of approximately 500,000, the military argued successfully for a range of 223,000 to 248,000, plus a political cadre of 85,000.

Yesterday, Mr. Smith said this "massive intent to distort these numbers to Washington policy makers would have been impossible without the leadership of General Westmoreland." He described the military's figures as "rampantly dishonest."

Mr. Smith, like Mr. Kovar, said he had never met or spoken to General Westmoreland.

Mr. Smith conceded that at an April 1968 conference — after the Tet offensive — the military and the C.I.A. were not far apart on the number of the enemy's regular, or "main and local," forces. A May 1968 C.I.A. report on the conference said the C.I.A. estimated those forces at 125,000 to 145,000, and General Westmoreland's command, 120,000 to 140,000.

"But of course," Mr. Smith told Mr. Dorsen, "we never saw those numbers in the order of battle." The military, he said, "agreed to those numbers at the conference and then never used them."

On Tuesday, Mr. Smith had testified that the military failed to report approximately 100,000 North Vietnamese troops who, he said, had infiltrated into South Vietnam in the five months be-

fore the Tet offensive. But yesterday, Mr. Dorsen noted that the May 1968 conference report made no reference to figures of that kind.

Mr. Smith — who repeatedly accused Mr. Dorsen of being "totally mixed up" — said the lawyer was "way out of line."

Q. Isn't it the case, Mr. Smith, that the evidence of what you called 100,000 infiltrators was so tenuous and so weak that you were not prepared to present it to the military at the April order-of-battle conference and you were not even prepared to present it to the Director of Central Intelligence?

A. I'll try to give you a good answer. The documentary evidence for the infiltration analysis was at least as good and better than it was for the main and local forces. There was an enormous flow of paper. That's the most ridiculous statement I have ever heard about infiltration.

Mr. Smith said that infiltration was not a key issue at the April 1968 conference. Moreover, he said, if there had not been that large infiltration, the enemy — "with its incredible losses" in February 1968, could not have pursued the Tet offensive.

Mr. Kovar, in 1967 and 1968, was on the executive staff of R. Jack Smith, then the C.I.A.'s deputy director for intelligence. Mr. Kovar said his duties included serving as Mr. Smith's special assistant for Vietnamese affairs. He said he last visited Vietnam in 1958.

At one stage, Mr. Kovar volunteered that his "competence" in this area was "at least as good" as that of George A. Carver Jr., the agency's former chief of Vietnamese affairs, who had testified for General Westmoreland. Mr. Kovar's observation stood out because he had not been asked about Mr. Carver.

Mr. Kovar said that the self-defense forces should "certainly" have been listed at their current strength in the special estimate for President Johnson and that, contrary to a statement in the 25-page estimate, both the military and the C.I.A. had sufficient evidence to count them "with confidence."

Many people in the C.I.A. "have pained over their consciences on this subject," he said. "I felt there was a direct guilt trail between that estimate and the debacle in January 1968."

On cross-examination, Mr. Dorsen pointed out that, even if the estimate did not give a 1967 figure for the self-defense forces, it contained a 1966 figure of 150,000 and a number of passages describing the role of those forces.

STAT

STAT

STAT